

REMARKS

After the foregoing amendment, claims 1-4 are currently pending in this application. Claims 1-4 have been amended. No new matter is introduced herein.

Claim Rejections - 35 USC §112

Claim 1 stands rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Claim 1 has been amended and is fully compliant with 35 U.S.C. § 112. Accordingly, Applicants respectfully request withdrawal of the § 112 rejection of claim 1.

Claim Rejections - 35 USC §102

Claims 1-4 stand rejected under 35 U.S.C. § 102(e) as anticipated by Ostervall (WO 02/101875). Applicants respectfully submit, however, that these claims are patentable over Ostervall for at least the reasons set forth below.

Claim 1 recites in part:

...a housing formed of a rear shell and a front shell;

a printed circuit card disposed between the rear shell and the front shell;

an energy-storing device,

the energy-storing device, the rear shell and the printed circuit card forming an enclosed space containing a patch antenna.

These features may be found, for example, in Applicants' originally filed specification at page 5, lines 5-10 and is illustrated in FIG. 5.

Ostervall discloses different antenna arrangements, a representative one of which is reproduced below.

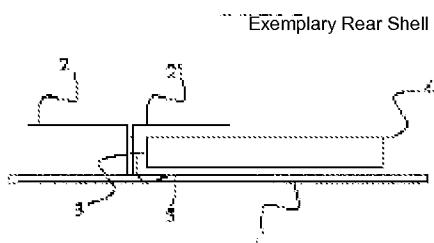


FIG. 4

As shown, the antenna 2 is coupled to the battery 4 and the PCB 1 via an antenna PCB 3. The Examiner argues that "it is inherent that the antenna arrangement shown in FIG. 4 would be enclosed by a front and rear shell, positioned as recited." Ostervall does not, however, disclose or suggest that a battery, a rear shell and a printed circuit card form an enclosed space containing a patch antenna, as recited in claim 1.

Accordingly, Applicants' claim 1 is patentable over Ostervall, and Applicants respectfully request withdrawal of the §102(e) rejection of claim 1.

Claims 2-4 depend from claim 1 and, therefore, are also patentable over Ostervall for at least the same reasons as patentable claim 1. Thus, Applicants respectfully request withdrawal of the §102(e) of these claims as well.

Claim Rejections - 35 USC §103

Claims 1-4 stand rejected under 35 U.S.C. §103(a) as obvious over Ostervall and “the Prior Art described (and shown in Figs. 1A and 1B) in the instant application.”

Applicants’ Figures 1A and 1B illustrate an antenna arrangement including a printed circuit card 70 disposed between a rear shell 20 and a front shell 30. An energy-storing device 40 is coupled to the printed circuit card 70. The antenna 10 is disposed in a hatch 15 adjacent the battery. The hatch 15 forms a separate enclosed space within which the antenna 10 is contained. Accordingly, “the Prior Art described...in the instant application” does not disclose “the energy-storing device, the rear shell and the printed circuit card forming an enclosed space containing a patch antenna,” as recited in Applicants’ claim 1, nor do Applicants admit as prior art any such feature. Accordingly, “the Prior Art described (and shown in Figs. 1A and 1B) in the instant application” does not overcome the deficiencies of Ostervall described in the previous section.

Accordingly, Applicants’ respectfully request withdrawal of the §103(a) rejection of claims 1-4.

Applicant: Durand et al.
Application No.: 10/581,925

Conclusion

If the Examiner believes that any additional minor formal matters should be addressed in order to place this application in condition for allowance, or that a telephone interview will help to materially advance the prosecution of this application, the Examiner is invited to contact the undersigned by telephone at the Examiner's convenience.

In view of the foregoing amendment and remarks, the present application is in condition for allowance, and Applicants respectfully request a notice to that effect.

Respectfully submitted,

Durand et al.

By: /Thomas A. Mattioli/
Thomas A. Mattioli
Registration No. 56,773

Volpe and Koenig, P.C.
United Plaza
30 South 17th Street
Philadelphia, PA 19103-4009
Telephone: (215) 568-6400
Facsimile: (215) 568-6499

DCK/TAM/dcb